



RCE  
ZFW

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 10/798,990  
Filing Date 03/12/2004  
First Named Inventor Vijay Deshmukh  
Art Unit 2165  
Examiner Name Wu, Yicun  
Attorney Docket No. 5693.P043

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a. ☐ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(l) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
    - iv. ☒ Other Additional Claims
    - iv. ☒ Other Terminal Disclaimer (3 Applications)
  - b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)  
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Teresa Wong Registration No. (Attorney/Agent) 48,042  
Signature [Signature] Date July 3, 2007

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Cynthia Mirelez  
Signature [Signature] Date July 3, 2007

Express Mail No. (only if applicable): \_\_\_\_\_

**FEE TRANSMITTAL FOR FY 2007**

(Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

**TOTAL AMOUNT OF PAYMENT (\$)** 1380.00

Complete if Known:

Application No. 10/798,990  
Filing Date 03/12/2004  
First Named Inventor Vijay Deshmukh  
Examiner Name Wu, Yicun  
Art Unit 2165  
Attorney Docket No. 5693.P043

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☒ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		<u>Fees Paid (\$)</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>			
1011	300	2011	150	Utility application filing fee	} 1,000/500	_____
1111	500	2111	250	Utility search fee		_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1)						\$ <u>0.00</u>

**2. EXCESS CLAIM FEES****Fee Description****Large Entity      Small Entity****Fee      Fee      Fee      Fee****Code      (\$)      Code      (\$)      Fee Description**

1202      50      2202      25

Each claim over 20

1201      200      2201      100

Each independent claim over 3

1203      360      2203      180

Multiple dependent claims, if not paid

1204      200      2204      100

Reissue: each claim over 20 and more than in the original patent

1205      50      2205      25

Reissue: each independent claim more than in the original patent

		<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
<b>Total Claims</b>	<u>29</u>	<b>- 29 =</b>	<b>X \$50.00</b>	<b>=</b>
HP = highest number of total claims paid for, if greater than 20				
<b>Independent Claims</b>	<u>5</u>	<b>- 4 =</b>	<b>X \$200.00</b>	<b>= 200.00</b>
HP = highest number of independent claims paid for, if greater than 3				
<b>Multiple Dependent Claims</b>				

**SUBTOTAL (2) \$ 200.00****3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
<u>          </u>	<b>- 100 =</b>	<u>          </u> / 50 = <u>          </u> (round up to whole number)	<b>X \$250.00</b>	<u>          </u>

**Large Entity      Small Entity****Fee      Fee      Fee      Fee****Code      (\$)      Code      (\$)      Fee Description: Application size fee for each additional group of 50 sheets**

1081      250      2081      125

beyond initial 100 sheets (count spec &amp; drawings except sequences &amp; program listings):

1082      250      2082      125

Utility

1083      250      2083      125

Design

1084      250      2084      125

Plant

Reissue

**SUBTOTAL (3) \$ 0.00**

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

				<u>Fees Paid (\$)</u>																																																																																																																																																																																																			
Non-English Specification, \$130 fee (no small entity discount)																																																																																																																																																																																																							
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unavoidable</td> </tr> <tr> <td>1453</td> <td>1,500</td> <td>2453</td> <td>750</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501</td> <td>1,400</td> <td>2501</td> <td>700</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502</td> <td>800</td> <td>2502</td> <td>400</td> <td>Design issue fee</td> </tr> <tr> <td>1503</td> <td>1100</td> <td>2503</td> <td>550</td> <td>Plant issue fee</td> </tr> <tr> <td>1462</td> <td>400</td> <td>1462</td> <td>400</td> <td>Petitions to the Commissioner (CFR 1.17(f) Group I)</td> </tr> <tr> <td>1463</td> <td>200</td> <td>1463</td> <td>200</td> <td>Petitions to the Commissioner (CFR 1.17(g) Group II)</td> </tr> <tr> <td>1464</td> <td>130</td> <td>1464</td> <td>130</td> <td>Petitions to the Commissioner (CFR 1.17(h) Group III)</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809</td> <td>790</td> <td>2809</td> <td>395</td> <td>For filing a submission after final rejection (see 37 CFR 1.129(a))</td> </tr> <tr> <td>1814</td> <td>130</td> <td>2814</td> <td>65</td> <td>Statutory Disclaimer (3 Applications)</td> </tr> <tr> <td>1810</td> <td>790</td> <td>2810</td> <td>395</td> <td>For each additional invention to be examined (see 37 CFR 1.129(b))</td> </tr> <tr> <td>1801</td> <td>790</td> <td>2801</td> <td>395</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td>1504</td> <td>300</td> <td>1504</td> <td>300</td> <td>Publication fee for early, voluntary, or normal pub.</td> </tr> <tr> <td>1505</td> <td>300</td> <td>1505</td> <td>300</td> <td>Publication fee for republication</td> </tr> <tr> <td>1803</td> <td>130</td> <td>1803</td> <td>130</td> <td>Request for voluntary publication or republication</td> </tr> <tr> <td>1808</td> <td>130</td> <td>1808</td> <td>130</td> <td>Processing fee under 37 CFR 1.17(l) (except provisionals)</td> </tr> <tr> <td>1454</td> <td>1,370</td> <td>1454</td> <td>1,370</td> <td>Acceptance of unintentionally delayed claim for priority</td> </tr> </tbody> </table>				<u>Large Entity</u>		<u>Small Entity</u>			Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	1053	130	1053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	1813	8,800	1813	8,800	Request for inter parties reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	120	2251	60	Extension for reply within first month	1252	450	2252	225	Extension for reply within second month	1253	1,020	2253	510	Extension for reply within third month	1254	1,590	2254	795	Extension for reply within fourth month	1255	2,160	2255	1,080	Extension for reply within fifth month	1401	500	2401	250	Notice of Appeal	1402	500	2402	250	Filing a brief in support of an appeal	1403	1,000	2403	500	Request for oral hearing	1451	1,510	1451	1,510	Petition to institute a public use proceeding	1452	500	2452	250	Petition to revive - unavoidable	1453	1,500	2453	750	Petition to revive - unintentional	1501	1,400	2501	700	Utility issue fee (or reissue)	1502	800	2502	400	Design issue fee	1503	1100	2503	550	Plant issue fee	1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1806	180	1806	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	1814	130	2814	65	Statutory Disclaimer (3 Applications)	1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	1801	790	2801	395	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	1505	300	1505	300	Publication fee for republication	1803	130	1803	130	Request for voluntary publication or republication	1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	
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<b>SUBTOTAL (4)</b>				<b>\$ 1180.00</b>																																																																																																																																																																																																			

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Teresa Wong

Signature: \_\_\_\_\_

Date: July 3, 2007Reg. Number: 48,042Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450